



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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Paper No. 9

In re Application of :
Cary Lucier : DECISION ON PETITION
Application No. 09/702,825 :
Filed: November 1, 2000 :
Attorney Docket No. P66053US0 :

This is a decision on the petition filed on July 1, 2002 by which petitioner requests withdrawal of the holding that this application stands abandoned for failure to file a reply to the Office letter dated October 12, 2001. No fee is required for the petition.

The petition is granted.

Petitioner alleges that a timely reply to the Office letter in question was in fact filed. This allegation is supported by a copy of the reply, and by a copy of a filing receipt for the reply showing that the reply was in fact received in the Office on October 30, 2001. Based on this evidence, it is clear that the application was not in fact abandoned.

Accordingly, the Notice of Abandonment is hereby vacated, the holding of abandonment is withdrawn, and the application is restored to pending status. The application is being forwarded to the examiner for action on the reply filed on October 30, 2001.

PETITION GRANTED.

E. Rollins-Cross, Director, Patent
Examining Groups 3710 and 3720

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